

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

LISA GAYLE BUTLER and DAVID A.	§	
HOLLAND, Individually and as	§	
Personal Representatives of the ESTATE	§	
OF MATY GAYLE HOLLAND,	§	No. 4:18-cv-898
Deceased,	§	
Plaintiffs,	§	Hon. Judge Lee Rosenthal
	§	
v.	§	
JUNO THERAPEUTICS, INC.,	§	
Defendant.	§	
	§	

**JUNO THERAPEUTICS, INC.’S UNOPPOSED MOTION FOR LEAVE TO FILE ITS
MOTION TO STRIKE PORTIONS OF PLAINTIFFS’ STATEMENT OF
MATERIAL FACTS UNDER SEAL**

Pursuant to Paragraph 8 of the Protective Order Governing the Disclosure of Confidential Information entered June 12, 2020 (Dkt. No. 80) (the “Protective Order”) and the United States District Court for the Southern District of Texas’s General Order 2004-11, Juno Therapeutics, Inc. (“Juno”) respectfully requests that the Court enter an order authorizing Juno to file its unredacted Motion to Strike Portions of Plaintiffs’ Statement of Material Facts (“Motion to Strike”) and accompanying appendix under seal. In support, Juno states:

1. On June 12, 2020, this Court entered the Protective Order.
2. The Protective Order applies to “[a]ll items or information ... that are produced or generated in connection with any discovery in this Action” and allows the parties to designate such documents as confidential or highly confidential. Protective Order ¶ 1.
3. The Protective Order requires that “[i]n the event a party seeks to file any material that is subject to protection..., that party shall take appropriate action to insure that the documents receive proper protection from public disclosure...” which may include “filing a redacted

document with the consent of the party who designated the document as confidential or highly confidential” and “seeking permission to file the document under seal[.]” *Id.* ¶ 8.

4. This Court has instructed that “caution should be exercised and the necessity to seal considered when filing documents” concerning “medical records, treatment and diagnosis” as well as “proprietary or trade secret information.” General Order 2004-11.

5. Juno’s Motion to Strike contains information designated as “Confidential” and “Highly Confidential” under the Protective Order. The documents contain personal health information related to Maty Holland’s medical diagnosis and treatment, as well as proprietary information related to the development of JCAR015, the Juno therapy that Ms. Holland received.

6. The appendix accompanying Juno’s Motion to Strike is a copy of Plaintiffs’ Statement of Material Facts, which was previously filed under seal. *See* Dkt. No. 114.

7. Pursuant to Protective Order Paragraph 8, Juno’s counsel consulted with Plaintiffs’ counsel, and the Parties agree that this information is subject to sealing.

8. Juno has filed a publicly available version of its Motion to Strike with redactions, as well as the accompanying appendix.

Based on the foregoing, Juno respectfully requests that the Court allow its Motion to Strike and the accompanying appendix to be filed under seal in order to protect confidential information from public dissemination pursuant to the parties’ Protective Order and this District Court’s General Order 2004-11.

Dated: May 14, 2021

Respectfully submitted,

By: /s/ Christopher H. Domingo
Christopher H. Domingo

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CERTIFICATE OF CONFERENCE

The undersigned certifies that she conferred with counsel for Plaintiffs on April 8 and May 11 and 14, 2021 regarding Juno's Motion to File Under Seal. Counsel for Plaintiffs advised that they do not oppose this motion.

/s/ Elizabeth J. Marino _____

Elizabeth J. Marino

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of May 2021, pursuant to the Federal Rules, the foregoing was served through the Court's CM/ECF System, which will send a notice of electronic filing to all counsel of record.

/s/ Christopher H. Domingo _____

Christopher H. Domingo

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[PROPOSED] ORDER

Having considered Defendant's Unopposed Motion to File its Motion to Strike Portions of Plaintiffs' Statement of Material Facts ("Motion to Strike") and Accompanying Appendix Under Seal, with redacted publicly-available versions of the Motion to Strike and accompanying appendix, IT IS HEREBY ORDERED that Defendant's motion is GRANTED.

It is so ORDERED.

SIGNED this _____ day of _____, 2021

**HONORABLE LEE H. ROSENTHAL
UNITED STATES DISTRICT JUDGE**